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Secretary of the U.S. Department of Veterans Affairs

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAYMOND LEGARRETA,)	1: 02 CV 6634 AWI DLB
)	
Plaintiff,)	(Consolidated with
)	1: 03 CV 6091)
v.)	
)	STIPULATION RE CASE SCHEDULE
ANTHONY J. PRINCIPI,)	and ORDER
Secretary of the U.S.)	
Department of Veterans)	
Affairs,)	
)	
Defendant.)	
_____)	

Plaintiff Raymond LeGarreta and Defendant Anthony J. Principi, Secretary of the U.S. Department of Veterans Affairs, hereby stipulate through the undersigned counsel to extending this action's expert schedule and settlement conference as set forth below. The parties also respectfully request that the Court approve this stipulation by way of formal order.

The parties explain the basis for their stipulation as follows:

Pursuant to the Court's November 2, 2004 Scheduling Order:
(1) experts are scheduled to be disclosed on August 2, 2005, (2)

1 supplemental experts are scheduled to be disclosed on August 26,
2 2005, (3) expert discovery closes on September 26, 2005 and (4)
3 this action's settlement conference is scheduled to take place on
4 September 29, 2005.

5 Pursuant to this action's April 27, 2005 order extending
6 discovery deadlines, however, discovery is not scheduled to close
7 until August 19, 2005. As a result, experts are presently
8 required to produce reports before the close of discovery, and
9 therefore risk being obligated to publicize expert reports prior
10 to being able to analyze all relevant discovery. The parties
11 wish to avoid this result, and agree to initially disclose
12 experts on a date after the close of discovery. The parties
13 therefore stipulate to extending each of the above
14 deadlines/scheduled dates, and base this stipulation on the
15 above-described good cause.

16 Since the initial expert disclosure deadline needs to be
17 extended to allow all experts sufficient time to complete their
18 reports equipped with all relevant discovery, this action's
19 supplemental expert disclosure date and expert discovery deadline
20 likewise warrant extensions. In addition, the settlement
21 conference needs to be briefly extended so that all parties can
22 approach settlement with the court equipped with all available
23 discovery and expert opinions. Accordingly, the parties hereby
24 stipulate to the continuance of this action's expert deadlines
25 and settlement conference as specified below. The parties also
26 request the Court to endorse this stipulation by way of formal
order.

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26

	<u>Old Dates</u>	<u>New Dates</u>
Expert Disclosure:	Aug. 2, 2005	Sep. 6, 2005
Supplemental Expert Disclosure:	Aug. 26, 2005	Sep. 30, 2005
Expert Discovery Cutoff:	Sep. 26, 2005	Oct. 31, 2005
Settlement Conference:	Sep. 29, 2005 10:00 a.m. Courtroom 5 (DLB)	Nov. 2, 2005 1:30 p.m. Courtroom 5 (DLB)

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All other case dates shall remain as set in this Court's prior scheduling orders dated November 2, 2004 and April 27, 2005.

Dated: July 18, 2005.

Respectfully submitted,

Suzanne Kehde, Attorney at Law

McGREGOR W. SCOTT
United States Attorney

/s/ Suzanne Kehde (as auth. 7/15)
SUZANNE KEHDE
Attorney for Plaintiff
Raymond LeGaretta

/s/ Brian W. Enos
BRIAN W. ENOS
Attorneys for Defendant
United States of America

IT IS SO ORDERED.

Dated: July 25, 2005
3b142a

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE